ADJOURNMENT MOTION.

PRESIDENT: I have received notice of an adjournment motion from Mr. N. E. Varughese. The motion reads thus :—

> "I beg leave to make a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance, *viz*, the famine conditions that have recently begun to prevail in the country resulting from all available sources of the people being exhausted in consequence of the economic depression, and necessitating the adoption of relief measures to enable unskilled labourers to find employment and make their living."

In the first place, this motion lacks the essential condition which would make it a motion for adjournment of the House, namely, there is no mention of any specific event of recent occurrence. The famine, the economic depression and the unemployment are all matters which have been of a continuing nature. Further, this question has been discussed threadbare on the floor of the House quite recently in the course of the same session. Therefore I think I will not only be violating a principle, but also deliberately wasting the time of the House if I admit this as an adjournment motion. I rule it out of order.

PRESIDENT'S RULING *re* BUDGET MOTIONS.

Having scrutinised the token and other motions so far received and watched also the trend of discussions in the House during the last few days, I consider it necessary to lay down the principles which should determine the admissibility of such motions and the range of discussion permissible under them.

The purpose of a token motion and the debate on a token motion must be strictly *relevant* to the purpose for which the amount sought to be reduced is demanded. If the motion relates to the total grant for a Department, the debate is allowed to range over the whole policy of the Department. If the total sought to be reduced is a sub-total, then the debate is allowed to range over only so much of the policy of the Department as may, by a rule of relevancy, be apportioned to that sub-total. If, for instance, the amount sought to be reduced is only the single item of travelling allowance, the debate must be strictly confined to the travelling of the officer for whose travelling the amount is demanded. If the amount sought to be reduced is the amount of salaries for clerks, the debate must be confined to the work of the clerks. If the amount sought to be reduced is the sub-total under, say, "Direction" in the Education grant, the debate must be confined to the policy involved in *Direction* and no further. If, however, the amount sought to be reduced is the grand total of, say, the Education Demand, the entire educational policy, even the policy for which the Government are responsible, is within the scope of the debate.

So far, it is a question of relevancy. There is, however, another rule. Even if the purpose of the motion and the debate of the motion

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[President]

be relevant according to the rules of relevancy, even then the debate should not touch or range over a subject or grant which is non-votable or a subject which is beyond the purview of the Legislature.

In the Bombay Council, for instance, it was ruled that, when the amount under salaries of the establishment of a non-votable officer is under debate, it would not be in order to discuss the position of the non-votable officer, that it is unnecessary and ought to be done away with or that the salary of that office should be reduced. A precedent from the House of Commons was quoted in support of the ruling it was pointed out that, when a reduction was moved for reducing the Lord Chancellor's establishment (the Lord Chancellor is non-votable) for criticising the Lord Chancellor's office, it was disallowed. It was pointed out too that, if you can attack a policy only by hitting a non-votable officer, you cannot do even that.

In Travancore, I am told, a considered ruling was once given on these points in August 1928, which says:

> Turning next to token motions, i. e., motions for reducing nominal sums, questions of policy may be discussed in such motions. It has been the practice generally to refer to non votable appointments too as part of the discussion of the policy. I shall follow this practice for the present. But a debate directed specifically and solely against a non-votable appointment, not as a part of the discussion of policy but as a direct attack, will not be allowed even on token motions"

Another point too may be mentioned. When the budget is under debate, the individual merits of an officer do not arise, though, as a part of the debate on policy, his work may be criticised. That there should be such and such office (if it be a votable office) may be discussed, but not *who* may hold that office, if there be such an office.

In regard to non-votable offices, even the question whether there should be an office or not does not *directly* arise though, perhaps, in a general way, it may be stated in the debate that the Department is run on too expensive lines because of high offices.

Bearing the above in mind, the token motions under General Administration and under Legislative Bodies may be examined.

In regard to the motions under Legislative Bodies, the motions to reduce Rs. 45,000 under travelling allowance (which is the travelling allowance for the non-official members) cannot be utilised for criticising Government, either directly or indirectly, that they are not respecting the opinions of the Legislature or for criticising the constitution of the Legislature or for discussing the franchise question. What comes properly under debate is that the non-official members are not doing their work properly and therefore their travelling allowances should be cut. But I think that it is not proper to allow a discussion

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or criticism in the House about the non-officials' work. Because, that will not be a censure on *Government*, which a token motion is in essence. Again, motions to reduce the total grant under Legislative Bodies cannot be utilised for criticising the Deputy President, directly or indirectly, because the Deputy President is non-votable and not a single pie of this total grant (votable grant) is applicable in any manner to the Deputy President. So also, the total grant cannot be utilised for criticising Government that they are not respecting the Legislature or are not answering interpellations properly. The functions of Government in regard to these matters have no relation to the grant under Legislative Bodies. If Government are to be criticised, it should be done under the appropriate demand. For instance, if the resolution or interpellation related to a Land Revenue matter, a token motion to censure Government must be tabled under the Land Revenue Demand which also, it must be noted, is moved by *Government.*

That there should be more meetings of the Legislative Chambers, or that more time should be allotted for business cannot also be raised in debate under any Demand ; because these are functions of the Dewan *as Dewan* and not as Government ; and the Dewan's actions, as such, are not open to debate in the Legislative Chambers. That the Assembly Secretary should suggest to the Dewan that there should be more meetings is also not an admissible motion ; because we know that the *real* object of the motion is to suggest that the Dewan should take a particular action and it is not open to debate.

A discussion, on a token motion, about the working of the Legislative Body, as such, does not also seem to be quite relevant, for it cannot convey a censure on *Government*, as a token motion ought to do.

I hope therefore that our discussion of the future will be guided on these principles and the House will have ample opportunity of applying their minds to relevant motions on the various demands now before the House.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): In view of the ruling, as we have critically referred to the proceedings of the previous Councils where no definite policy has been laid down for the discussion of token motions—

PRESIDENT: That is why the Chair is forced to give a definite ruling.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): In view of the ruling of the President that such and such rules may be acted upon in the discussion of token motions, I would like to know whether the cut motions, which have been sent prior to the giving of this ruling and which were sent under the belief that the previous rulings subsisting at the time the motions were sent would prevail, may be transferred to the appropriate heads.

PRESIDENT: It is not my intention to stifle discussion. They could be discussed under proper heads.

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